TRANSLATION PATENT COOPERATION TREATY POT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 0000054936				FOR FURTHER A	CTION	See Form	PCT/IPEA/416
International application No.				International filing da	te (day/month/yea	<i>ur</i>) Priority da	te (day/month/year)
PCT/EP2004/010721				24.09.200	4	30.0	9.2003
Internati	onal Patent	Classification	(IPC) or nati	onal classification and	IPC	I	
			D06	P1/52, D061	415/356,	D06P3/60	
A 11							
Applicant BASF Aktiengesellschaft							
1.				minary examination reple applicant according to		by this International	Preliminary Examining Authority
2.	This REPO	ORT consists	of a total of	6	sheets, i	ncluding this cover s	sheet.
3.	This repor	t is also accor	npanied by A	NNEXES, comprising:			
	a. 🔀	(sent to the d	applicant and	to the International Bu	reau) a total of _	2	sheets, as follows:
		A I	containing re		-		are the basis for this report and/or Section 607 of the Administrative
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental						
	. 🗆	Box.		D		l	::(-))
	b	(sent to the 1	nternational	Bureau only) a total of	(indicate type and	number of electron	ic carrier(s))
related thereto, in computer readable form only, as indicated i			s indicated in the		ng a sequence listing and/or tables Relating to Sequence Listing (see		
	related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).						
4.	This repor	t contains indi	ications relati	ng to the following iten	ns:		
	⊠ Bo	ox No. I	Basis of the	report			
	В	ox No. II	Priority				
	В	ox No. III	Non-establi	shment of opinion with	regard to novelty	, inventive step and	industrial applicability
	В	ox No. IV	Lack of unit	ty of invention			
	В	ox No. V		atement under Article 3 d explanations supporti		•	e step or industrial applicability;
	В	ox No. VI	Certain doc	uments cited			
	В	ox No. VII	Certain defe	ects in the international	application		
	В	ox No. VIII	Certain obse	ervations on the interna	tional application		
Date of submission of the demand			Date of completi	on of this report			
Name and mailing address of the IPEA/EP					Authorized office	er	
Facsimile No.					Telephone No.		

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International application No.

PCT/EP2004/010721

Box	No. I	Basis of the report		
1.		h regard to the language, this report is based on the internati cated under this item.	onal application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original languments which is the language of a translation furnished for the pure international search (Rule 12.3 and 23.1(b)) publication of the international application (Rule 12.1) international preliminary examination (Rule 55.2 and 15.2).	poses of:	,
2.	rece	th regard to the elements of the international application, this iving Office in response to an invitation under Article 14 a report): the international application as originally filed/furnished the description:	s report is based on (replacement)	
		pages 1-18 pages*		as originally filed/furnished
		pages*	_	
	\square		_ received by this realitionly on	
		nos		as originally filed/furnished
		nos.*	as amended (togethe	er with any statement) under Article 19
		nos.* _ 1-11	_ received by this Authority on	11.06.2005 with letter of 10.06.2005
		nos.*	received by this Authority on	
		the drawings:		
		sheets		as originally filed/furnished
		sheets*	received by this Authority on	
		sheets*	received by this Authority on	
		a sequence listing and/or any related table(s) – see Suppler	mental Box Relating to Sequence L	isting.
3.		The amendments have resulted in the cancellation of:		
		the description, pages		
		the claims, nos.		
		the drawings about (6)		
		the sequence listing (specify):		
4.		This report has been established as if (some of) the amer they have been considered to go beyond the disclosure as	ndments annexed to this report and	l listed below had not been made, since
		the description, pages		
		the claims, nos.		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
*	If ite	em 4 applies, some or all of those sheets may be marked "su	perseded."	

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Box No. V		Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1.	Statement						
	Novelty	(N)	Claims	1-11	YES		
			Claims		NO		
	Inventive	step (IS)	Claims	1-11	YES		
	Industria	l applicability (IA)	Claims	1-11	YES		
2.	Citations and	d explanations (Rule 7	0.7)				
	1.	•		kes reference to the following			
	_ •	document:					
	D3:	EP-A-0 812	2 949	(CIBA SPECIALTY CHEMICALS HOLDING			
				ber 1997 (1997–12–17)			
	2.	INDEPENDE	NT CL.	AIM 1			
		Document 1	D3 is	regarded as the prior art closest			
		to the sul	bject	matter of claim 1 and discloses			
		(cf. exam)	ples	32 and 33) a process for treating			
		cellulose-	-cont	aining textiles from which the			
		subject ma	atter	of claim 1 differs in that:			
		(1) a pre	elimi	nary treatment is carried out, and			
		(2) the	copol	ymer is partially hydrolysed.			
		The subject	ct ma	tter of claim 1 is thus novel (PCT			
		Article 33	3 (2))				
		The presen	nt in	vention can therefore be considered			
		to address	s the	problem of devising a process for			
		treating o	cellu	lose-containing textiles which			
		avoids ri	ng dy	eing.			

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) because D3 (cf. page 5, lines 34-38) states that the process described therein can be a preliminary treatment; it would thus be obvious for a person skilled in the art to include the above-mentioned feature 1. However, D3 does not indicate that the use of a partially hydrolysed copolymer in accordance with the present claim 1 could avoid ring dyeing.

3. DEPENDENT CLAIMS 2-6

Claims 2-6 are dependent on claim 1 and thus also meet the PCT novelty and inventive step requirements.

4. INDEPENDENT CLAIM 7

Document **D3** is regarded as the prior art closest to the subject matter of claim 7 and discloses (cf. **examples 32 and 33**) a cellulose-containing textile from which the subject matter of claim 7 differs in that a partially hydrolysed copolymer is located on the textile.

The subject matter of claim 7 is thus novel (PCT Article 33(2)).

The present invention can therefore be considered to address the problem of providing a cellulose-containing textile which can be dyed without undesirable ring dyeing.

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The solution to this problem, as proposed in claim 7 of the present application, involves an inventive step (PCT Article 33(3)) because D3 does not indicate that ring dyeing could be avoided if a partially hydrolysed copolymer in accordance with the present claim 1 were applied to the textile.

5. CLAIMS 8-10

The subject matter of claims 8 and 9 is characterised by the subject matter of claim 7, and thus also meets the PCT novelty and inventive step requirements.

Claim 10 is dependent on claim 9 and thus also meets the PCT novelty and inventive step requirements.

6. INDEPENDENT CLAIM 11

Document **D3** is regarded as the prior art closest to the subject matter of claim 11 and discloses (cf. **examples 32 and 33**) a dyed cellulose—containing textile from which the subject matter of claim 11 differs in that a partially hydrolysed copolymer in accordance with the present claim 1 is located on the textile.

The subject matter of claim 11 is thus novel (PCT Article 33(2)).

The present invention can therefore be considered

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	to address the problem of providing a dyed
	cellulose-containing textile without ring dyeing.
	The solution to this problem, as proposed in claim
	11 of the present application, involves an
	inventive step (PCT Article 33(3)) because D3 does
	not indicate that ring dyeing could be avoided if
	a partially hydrolysed copolymer in accordance
	with the present claim 1 were applied to the
	textile.